



Defendant No. 2

Name Kelly Gormley Shield # 6844  
 Where Currently Employed 122 precinct  
 Address \_\_\_\_\_

Defendant No. 3

Name Det. Vincent Demarko Shield # \_\_\_\_\_  
 Where Currently Employed 122 precinct  
 Address \_\_\_\_\_

Defendant No. 4

Name Pd. Michael Meunad Shield # \_\_\_\_\_  
 Where Currently Employed 122 precinct  
 Address \_\_\_\_\_

Defendant No. 5

Name \_\_\_\_\_ Shield # \_\_\_\_\_  
 Where Currently Employed \_\_\_\_\_  
 Address \_\_\_\_\_

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

Police Officer ~~Pd.~~ Mehmet Kanbur strangled me  
in a violent manner and wouldn't let go

B. Where in the institution did the events giving rise to your claim(s) occur?

It occurred in apartment 25  
30 Ebbetts street Staten Island NY  
10306

C. What date and approximate time did the events giving rise to your claim(s) occur?

August 10, 2015 About 10 Am.

D. Facts: They Came For a domestic violence Issue  
while I was holding the Door PO Mehmet  
Kanbur did a martial arts arm lock choke hold and  
slamed me against the wall strangling  
me forcing me to fight him off me because  
he kept squeezing my throat and wouldn't let go  
Officer PO Mehmet Kanbur strangled me  
his partner a female who called for Backup  
grabbed my Right arm

What  
happened  
to you?

Who did  
what?

Was  
anyone  
else  
involved?

Juwana M Brown  
his female partner I think Kelly Gromky  
and about 12 other officers

Who else  
saw what  
happened?

Juwana Brown. there saying I assaulted. Told them  
Not to enter her House and that there was NO Assault  
and the lady that lives in front of the elevator  
Named Lorain heard a detectives tell the officers to  
explain it in such a way so it sounds like Mr Aponte  
assaulted you because there was no Detectives at my house  
like they put on the paper works they punched my girl  
Because she was taking pictures. They threatened her at the Hospital  
If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if  
any, you required and received. I had Bruises on my throat and took  
and my Right elbow But the cops Beat me for a Her camera  
Syke Doctor for evaluation saying I was Crazy  
at 2 Hospitals

#### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☐ No ☒



If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

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B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes \_\_\_\_\_ No \_\_\_\_\_ Do Not Know \_\_\_\_\_

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes \_\_\_\_\_ No \_\_\_\_\_ Do Not Know \_\_\_\_\_

If YES, which claim(s)? \_\_\_\_\_

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes \_\_\_\_\_ No \_\_\_\_\_

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes \_\_\_\_\_ No \_\_\_\_\_

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

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1. Which claim(s) in this complaint did you grieve? \_\_\_\_\_

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2. What was the result, if any? \_\_\_\_\_

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3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. \_\_\_\_\_

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: \_\_\_\_\_

Didn't happen in Jail it happened  
in my Apartment

2. If you did not file a grievance but informed any officials of your claim, state who you informed,

when and how, and their response, if any: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Note:** You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

**V. Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

I want perjury Charges  
Assault, harassment, Attempted Murder and Strangulation  
Charges and an order of protection. As far  
as Monetary Compensation I'm asking for  
Twenty Million. Even though my life is worth  
more than twenty million isn't yours  
worth more. I didn't deserve to be strangled  
By this officer like they did to my Boy  
eric gardner. I was put in a life or death  
situation and had no choice but to fight  
back.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VI. Previous lawsuits:**

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_\_\_ No X

On  
these  
claims

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_ No \_\_\_\_

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

On  
other  
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes \_\_\_\_ No X

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_ No \_\_\_\_

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

\_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 1 day of December, 2015

Signature of Plaintiff

Inmate Number

Institution Address

John R. AponTE

5411501435

Otis bantum Correctional Center  
1600 Hazen street  
East elhurst NY 11370

**Note:** All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 1 day of December, 2015, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

John R. AponTE

John R. Spontak  
Btc 541150435  
1600 Hazen St  
east elmhurst

RECEIVED  
SDNY PRO SE OFFICE



Queens New York 11370

USMP<sup>PS</sup>  
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2016 JAN 7 PM 3:43  
The Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street Room 200  
New York, NY 10007-1312